SOUTHERN DISTRICT OF NEW YORK		
HERMENEJILDO TEPI, on behalf of himself and others similarly situated,	X : :	Case No. 18-CV-2233 (CM)
Plaintiff,		NOTICE OF MOTION
-against-	:	
THE CITY BAKERY, LLC, THE CITY BAKERY, INC., and MAURY RUBIN,	:	
Defendants.	: : X	- 1941 - 1941

PLEASE TAKE NOTICE that, upon the annexed Declaration of Justin Cilenti, dated October 17, 2019, and the exhibits attached thereto, and the accompanying Memorandum of Law, and upon all prior proceedings heretofore had herein, Plaintiff will move this Court, before Honorable Chief U.S. District Judge Colleen McMahon, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on a date and time fixed by the Court, for an Order:

- (a) enforcing the terms of the judicially approved settlement agreement reached between the parties (the "Agreement");
- (b) entering judgment against The City Bakery, LLC, The City Bakery, Inc., and Maury Rubin ("Defendants"), jointly and severally, in the amount of \$46,050, which equals unpaid principal, liquidated damages, and attorneys' fees resulting from Defendants' breach of the Agreement; and
- (c) granting such other and further relief that the Court deems just and proper.

Dated: New York, New York October 17, 2019

Respectfully submitted,

CILENTI & COOPER, PLLC Attorneys for Plaintiff
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By:
Justin Cilenti

TO:

Eli Z. Freedberg, Esq. Kevin K. Yam, Esq. Littler Mendelson, P.C. 900 Third Avenue New York, New York 10022 (212) 583-9600 Attorneys for Defendants